

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

JARUE LAWSON,	:	CIVIL ACTION
Petitioner	:	
	:	
v.	:	NO. 09-24
	:	
PAUL K. SMEAL, et al.,	:	
Respondents	:	

ORDER

AND NOW, this 19th day of July, 2010, upon consideration of the petition for writ of *habeas corpus* filed pursuant to 28 U.S.C. § 2254, and the respondents' response thereto, and after careful and independent review of the thorough and well-reasoned Report and Recommendation of United States Magistrate Judge L. Felipe Restrepo, it is hereby ORDERED that:

1. The objections of the petitioner are OVERRULED;
2. The Report and Recommendation is APPROVED and ADOPTED with one exception;¹
3. The Petition for Writ of *Habeas Corpus* is DENIED and DISMISSED;
4. A certificate of appealability shall not issue because, for the reasons set forth in the Report and Recommendation, the petitioner has not made a substantial showing of the denial of a constitutional right.

BY THE COURT:

/s/ Lawrence F. Stengel
LAWRENCE F. STENGEL, J.

¹ I note the presence of a typographical error on Line 13 of Footnote 13 found on Page 20 of the Report and Recommendation. Counsel testified that the petitioner had been incarcerated "approximately 18 months," rather than "approximately 187 months" as written. See N.T. 7/31/00 at 24. With that exception, the Report and Recommendation is approved and adopted.